



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (August 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: September 19, 2017

TIME: 1:13 PM

WSR 17-19-104

Agency: Department of Social and Health Services, Aging and Long-Term Support Administration

Subject of possible rule making: The department is proposing to amend WAC 388-76-10000 "Definitions" and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: Chapter 70.128 RCW, Chapter 74.34 RCW

Reasons why rules on this subject may be needed and what they might accomplish: The department is amending WAC 388-76-10000 to strike the term "willful" from the definition list as a result of an order by the Division III Court of Appeals in Crosswhite v. DSHS invalidating the current definition of "willful". The removal of the current term is necessary to comply with the court's order.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

	(If necessary)
Name: Claudia Baetge, Policy Program Manager	Name:
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Additional comments:

Date: September 19, 2017

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature: